

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

UNITED STATES OF AMERICA

VS.

**4:89-CR-00003-02-BRW
4:16-CV-00568-BRW**

KENNETH CLEMENTS

ORDER

Defendant's Motion to Vacate, Set Aside, or Correct Sentence based on Amendment 794 of the United States Sentencing Guidelines¹ (Doc. No. 104) is DENIED.

This is a successive habeas petition.² All successive § 2255 motions must be certified by the appropriate court of appeals before they are considered by this Court. Because Defendant did not obtain certification from the Eighth Circuit Court of Appeals, his petition must be dismissed for lack of jurisdiction.³

IT IS SO ORDERED this 15th day of August, 2016.

/s/ Billy Roy Wilson
UNITED STATES DISTRICT JUDGE

¹Amendment 794 involves USSG § 3B1.2.

²Defendant's previous § 2255 motion was denied on December 7, 2004.

³*Boykin v. U.S.*, 242 F.3d 373 (8th Cir. 2000).